

UTILITY WATER ACT GROUP

EC-2000-007
1U-D-152

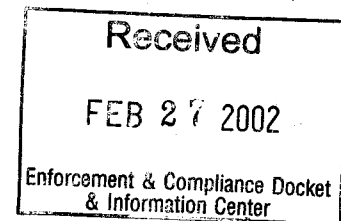
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Steering/Audit Committee J. Brad Burke - Chairman C. Richard Bozek Alan E. Gaulke Angela M. Grooms Richard S. Herd David M. Lee Abraham H. Loudermilk James F. Stine Maureen F. Vaskis, Esq. Kerry M. Whelan		HUNTON & WILLIAM Counsel to UWAG 1900 K Street, N.W. Washington, D.C. 20006
		FILE NO.: 29142.070010
February 27, 2002		

Via Electronic Mail and First Class Mail

U.S. Environmental Protection Agency
Enforcement and Compliance Docket and
Information Center (Mail Code 2201A)
Attn: Docket Number EC-2000-007
1200 Pennsylvania Avenue NW.
Washington, DC 20460



Comments on Proposed Establishment of Electronic Reporting; Electronic Records Rule

Dear Madam or Sir:

On August 31, 2001, EPA proposed regulations authorizing electronic reporting and electronic recordkeeping to satisfy existing reporting and recordkeeping requirements. *Establishment of Electronic Reporting; Electronic Records*, 66 Fed. Reg. 46,162 (Aug. 31, 2001). The following comments are submitted by the Utility Water Act Group ("UWAG"). UWAG is a voluntary, ad hoc, non-profit, unincorporated group of 165 electric utility systems, which own and operate over fifty percent of the nation's total generating capacity. The Edison Electric Institute, the American Public Power Association, and the National Rural Electric Cooperative Association also are UWAG members. UWAG's purpose is to participate on behalf of its members in EPA's regulatory actions under the Clean Water Act ("CWA") and in litigation

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arising from those actions. UWAG appreciates the opportunity to comment on the proposed rule.

Under the Clean Water Act, UWAG members are required to produce reports and maintain records that would be subject to the proposed rule. While EPA states that electronic reporting and recordkeeping will be voluntary, the proposed language would have the practical effect of being mandatory.

For example, the proposed definition of "electronic record" is so broad that it could encompass all records that ever pass through a computer, whether or not the record is intended to be maintained electronically. Additionally, facilities that currently maintain their records electronically (and indications are that this practice is widespread), would be *required* to comply with the rule. The only alternative would be to revert back to a paper-based system, which may not be practical, and surely would not be desirable. Finally, states that already require electronic submissions or recordkeeping would have to implement a system that complies with the EPA rule, thus making the provisions mandatory for their permittees as well.

UWAG requests that EPA either withdraw the proposed rule or revise it so that it truly is voluntary. UWAG also generally endorses the comments submitted by the Utility Air Regulatory Group ("UARG") and the Edison Electric Institute. UWAG specifically endorses Sections III and IV of UARG's comments.

Should you have any questions regarding our comments, please feel free to contact me (205/257-5234) or UWAG's counsel, Steven J. Koorse (804/788-8771).

Sincerely,

/S/

Donna B. Hill

Chairman, UWAG Analytical Procedures
Committee

cc: Brad Burke

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Steven J. Koorse, Esquire



"Shamblin, Penny"
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02/27/02 04:27 PM

To: "docket.oeca@epa.gov" <docket.oeca@epamail.epa.gov>
cc: "Potter, Barbara" <bpotter@hunton.com>, "Shamblin, Penny"
<pshamblin@hunton.com>
Subject: Comments on Docket Number EC-2000-007

Dear Madam or Sir:

Attached are the Utility Water Act Group's comments on the Proposed Establishment of Electronic Reporting; Electronic Record Rule (Docket No. EC-2000-007) in Word Perfect.

Sincerely,
Penny A. Shamblin, Esq.



UWAG comments - electronic reporting.